



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4005

by Rep. Jay Hoffman

#### SYNOPSIS AS INTRODUCED:

40 ILCS 5/15-153.1

from Ch. 108 1/2, par. 15-153.1

Amends the State Universities Article of the Illinois Pension Code. Provides that a police officer receiving a disability benefit who remains unable to perform the duties of a police officer may obtain other employment, including other employment under SURS, without termination of the disability benefit due to that other employment, but subject to any applicable reduction in the disability benefit. Effective immediately.

LRB099 09464 EFG 29671 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing  
5 Section 15-153.1 as follows:

6 (40 ILCS 5/15-153.1) (from Ch. 108 1/2, par. 15-153.1)  
7 Sec. 15-153.1. Disability benefits - Reduction.

8 (a) If a participant receiving disability benefits under  
9 this Article earns compensation from any source for personal or  
10 professional services in excess of the amount of the disability  
11 benefit, the disability benefit shall be reduced by the excess  
12 of the earnings over the benefit.

13 (b) If a participant receiving disability benefits under  
14 this Article receives disability income under an insurance  
15 contract financed wholly or partially by the employer, the  
16 disability benefit shall be reduced by the amount so received.

17 (c) In determining the monthly benefits payable under this  
18 Article, a deduction shall be made equivalent to any benefits  
19 payable to any employee under any State or Federal Worker's  
20 Compensation or Occupational Diseases Acts for any period for  
21 which disability benefits are payable. However, no deduction  
22 shall be made in the case of payment for medical, surgical and  
23 hospital services and artificial members or appliances, fixed

1 statutory payments for the loss of any bodily member, or the  
2 permanent and complete loss of use of 100% of any bodily  
3 member, payments for the loss of industrial vision or  
4 redemption awards payable prior to the date monthly disability  
5 benefits first become payable. If the benefits deductible under  
6 this paragraph are stated as a specified amount per week for a  
7 designated calendar period, then the monthly amounts shall, for  
8 purposes of this Section, be 4 1/3 times such weekly amount.

9 For any calendar month during which the amount of benefits  
10 deductible when thus computed on the monthly basis exceeds the  
11 amount of the monthly benefit otherwise payable under this  
12 Article for that month, no monthly disability benefit shall be  
13 payable under this Article. For any calendar month in which the  
14 amount of benefits deductible when computed on a monthly basis  
15 is less than the monthly disability benefit payable for that  
16 month, such lesser amount shall be deducted from the monthly  
17 disability benefit payable for that month. Lump sum awards  
18 provided for the payment in advance of workers' compensation  
19 benefits which are definitely allocable to specific weeks in a  
20 calendar period shall be deducted on the same basis as if the  
21 award had been payable on a weekly basis.

22 If such workers' compensation is not allocable to any  
23 specific calendar period, including redemption awards payable  
24 subsequent to the date monthly disability benefits first become  
25 payable, an equivalent monthly amount of such awards shall be  
26 computed for the purposes of this Section as 4 1/3 times the

1 amount of the weekly workers' compensation benefit provided by  
2 the applicable statute for the participant and his or her  
3 dependents. The total workers' compensation awards shall be  
4 divided by such computed equivalent monthly amounts to  
5 determine the number of months and fractions of months during  
6 which monthly disability benefits shall be reduced.

7 (d) A police officer (as defined in Section 15-132.1)  
8 receiving a disability benefit under this Article who remains  
9 unable to perform the duties of a police officer may obtain  
10 other employment, including other employment under this  
11 Article, without termination of the disability benefit due to  
12 that other employment, but subject to the reduction provided  
13 for in this Section, if applicable.

14 (Source: P.A. 83-1440.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.